

# **Exhibit 10 - Martin Tripp Deposition Excerpts**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

**REPORTER'S CERTIFIED  
TRANSCRIPT**

TESLA, INC., a Delaware corporation, )  
Plaintiff, )  
v. )  
MARTIN TRIPP, )  
Defendant, )  
AND RELATED COUNTER-CLAIMS.)  
\_\_\_\_\_  
Case No.: 3:18-cv-00296 LRH-CBC  
**CONFIDENTIAL**

**CONFIDENTIAL**

CONFIDENTIAL

VIDEOTAPE DEPOSITION OF MARTIN TRIPP

PHOENIX, ARIZONA  
WEDNESDAY, SEPTEMBER 4, 2019  
9:01 A.M.

DAVID M. LEE, RMR, CCR  
Certified Reporter  
Certificate Number 50391  
File No.: 19-29468



10:06 1 Q. BY MR. GATES: All right. I'm going to  
10:06 2 give to you what is marked as Deposition Exhibit 2.  
10:07 3 And so for some reason beyond my  
10:07 4 technical expertise, several of the e-mails and  
10:07 5 documents that I had printed out are without the  
10:07 6 "CONFIDENTIAL" or Bates stamp, so what I'm going to  
10:07 7 do is just designate the unmarked deposition  
10:07 8 exhibits as "CONFIDENTIAL."  
10:07 9 MR. FISCHBACH: Do you want to write  
10:07 10 "CONFIDENTIAL" on there, maybe on the copy for the  
10:07 11 court reporter?  
10:07 12 MR. GATES: Sure. Number 2. And we can  
10:07 13 resolve the issue, if need be, later on.  
10:07 14 MR. FISCHBACH: Obviously without -- without  
10:07 15 waiving the right to contest it, but just so there's  
10:07 16 no ambiguity.  
10:07 17 MR. GATES: Okay.  
10:07 18 Q. Okay. So this e-mail, you recognize this  
10:07 19 as a response from Linette Lopez on May 27th, sent  
10:07 20 to you at 7:10 a.m., replying to your e-mail  
10:08 21 offering to provide information to these news  
10:08 22 outlets; right?  
10:08 23 A. Correct.  
10:08 24 Q. Did you know about Linette Lopez prior to  
10:08 25 the e-mail from her?

10:08	1	MR. FISCHBACH: Object to the form of the
10:08	2	question.
10:08	3	THE WITNESS: Answer?
10:08	4	MR. FISCHBACH: Go ahead and answer, yeah.
10:08	5	THE WITNESS: I didn't know about her. I
10:08	6	possibly have read some articles by her, but I --
10:08	7	the name was not familiar.
10:08	8	Q. BY MR. GATES: Okay. You learned at some
10:08	9	point that she had a grudge against Elon Musk;
10:08	10	right?
10:08	11	MR. FISCHBACH: Object to the form of the
10:08	12	question.
10:08	13	Answer if you can.
10:08	14	THE WITNESS: I don't know if it was a
10:08	15	grudge; she definitely contested things that he
10:08	16	said and did.
10:08	17	Q. BY MR. GATES: Well, you described it as a
10:08	18	grudge; right?
10:08	19	A. At some point I probably did.
10:08	20	Q. You described it as also "She definitely
10:08	21	had it out for Elon."
10:08	22	A. I would definitely agree with that.
10:09	23	Q. Okay. So you're not sure whether you knew
10:09	24	that at the point when you got this response from
10:09	25	Linette Lopez on May 27th?

14:48 1 Q. And you copied Chris Guenther. Who is that?

14:48 2 A. Chris Guenther was the gentleman that

14:48 3 originally hired me, and to my knowledge at the

14:48 4 time that this occurred, he was still in the same

14:48 5 role, which is something to the effect of the

14:48 6 senior engineer for all of Gigafactory.

14:48 7 Q. Okay. And JB Straubel?

14:48 8 A. He is, I believe at the time, Chief

14:48 9 Technology Officer.

14:48 10 Q. For Tesla.

14:48 11 A. For Tesla. I can't remember if he was in a

14:48 12 different role prior to --

14:48 13 Q. So you thought it wasn't -- I'm sorry. I

14:49 14 didn't mean to talk over you. Go ahead.

14:49 15 A. That -- that was it.

14:49 16 Q. So you thought it was important to make sure

14:49 17 that the Chief Technology Officer for all of Tesla

14:49 18 was aware of your disagreement with this process

14:49 19 technician, Mr. Persyn?

14:49 20 A. Yes, I believe so.

14:49 21 Q. You tell Ms. Woolford you were -- you felt

14:49 22 like you were being discriminated against.

14:49 23 A. Yes, I did.

14:49 24 Q. Why did you feel you were discriminated

14:49 25 against?

14:49	1	A. During a one-on-one with myself, Imari
14:49	2	Henderson, and Michael Bowling just prior to this,
14:49	3	I was told that I was no longer a lead and there
14:49	4	was no such thing as a lead, yet I had to interact
14:49	5	with my counterparts in the other departments that
14:49	6	were considered leads, and I still had to perform
14:49	7	the same duties. But at that point I was looked
14:49	8	down upon, and I felt I was being discriminated
14:49	9	against because I was being treated differently than
14:50	10	my peers, but I still had the same expectations of
14:50	11	me to do the same duties as I was doing. And even
14:50	12	they were looking down upon me, kind of making jokes
14:50	13	about it.
14:50	14	Q. You had the same pay; right?
14:50	15	A. I don't know if it was the same pay or not.
14:50	16	Q. Well, your pay didn't change; right?
14:50	17	A. That is correct.
14:50	18	Q. And you say you were being discriminated
14:50	19	against by whom?
14:50	20	A. By Michael Bowling, Imari Henderson, the
14:50	21	process engineering technician supervisors for the
14:50	22	Stator line, many of the process engineering
14:50	23	technicians, my counterparts in the final assembly,
14:50	24	rotor, and inverter areas.
14:50	25	I don't know if I said Michael Bowling.

14:50 1 Q. You did.

14:50 2 A. Yeah.

14:50 3 Q. You said also that the supervisor, one of

14:50 4 those two people you had identified before, was

14:51 5 making comments to the day shift asking if they

14:51 6 had -- if you had been "offending or harassing

14:51 7 them." Do you see that?

14:51 8 A. Yes, number 3.

14:51 9 Q. Yes.

14:51 10 What were the remarks that you were

14:51 11 referring to?

14:51 12 A. I was told by several process techs that the

14:51 13 supervisor was asking them -- I believe just that,

14:51 14 if I was offending or harassing them.

14:51 15 Q. And you thought that this supervisor was

14:51 16 showing favoritism to Mr. Persyn?

14:51 17 A. He was, yes.

14:51 18 Q. Okay.

14:51 19 So you wanted to bring this to the

14:51 20 attention of the head of HR at the Gigafactory.

14:51 21 A. Yes.

14:51 22 (Deposition Exhibit Number 67 was marked

14:51 23 for identification.)

14:51 24 Q. BY MR. GATES: Let me give you what's been

14:52 25 marked as Exhibit 67.

1                   I CERTIFY that the foregoing deposition  
2 was taken by me pursuant to Notice; that I was then  
3 and there a Certified Reporter for the State of  
4 Arizona, and by virtue thereof authorized to  
5 administer an oath; that the witness before  
6 testifying was duly sworn by me to testify to the  
7 truth; that the questions propounded by counsel and  
8 the answers of the witness thereto were taken down  
9 by me in shorthand and thereafter transcribed under  
10 my direction, and that the foregoing typewritten  
11 pages contain a full, true, and accurate transcript  
12 of all proceedings had upon the taking of said  
13 deposition, all done to the best of my skill and  
14 ability; that deposition review and signature was  
15 requested.

16                   I FURTHER CERTIFY that I am in no way  
17 related to nor employed by any of the parties  
18 hereto, nor am I in any way interested in the  
19 outcome hereof.

20                   DATED at Phoenix, Arizona, this 16th  
21 day of September, 2019.

22                     
23

24                   

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25                   David M. Lee, RMR, CRR  
Arizona Certificate No. 50391